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9 UNITED STATES BANKRUPTCY COURT  
10 CENTRAL DISTRICT OF CALIFORNIA – SANTA ANA DIVISION

11 In re  
12 THE LITIGATION PRACTICE GROUP P.C.,  
13 Debtor.  
14

Case No. 8:23-bk-10571-SC

Chapter 11

TRUSTEE’S POST-CONFIRMATION  
STATUS REPORT

Date: May 21, 2025  
Time: 11:00 a.m.  
Ctrm: 5C  
Location: 411 West Fourth Street  
Santa Ana, CA 92701

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18 TO THE HONORABLE JUDGE SCOTT C. CLARKSON, UNITED STATES BANKRUPTCY  
19 COURT JUDGE AND ALL INTERESTED PARTIES:

20 Pursuant to the Court’s Order (Dk. No. 1646), Richard A. Marshack, in his capacity as the  
21 Trustee (“Trustee”) of the LPG Liquidation Trust (“Trust”), respectfully submits this post-  
22 confirmation status report (“Status Report”). This Status Report covers developments since the last  
23 post-confirmation status report that was filed on February 5, 2025, as Dk. No. 2080 and supplement  
24 to Trustee’s post-confirmation status report that was filed on February 10, 2025, as Dk. No. 2089.  
25 This Status Report is made pursuant to requirements of Local Bankruptcy Rule 3020-1.

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**1. Status of Disputed Claims**

**a. Administrative Claims**

**i. Administrative Claim Appeals**

On October 30, 2024, the U.S. District Court (“District Court”) to which the appeals of Han Trinh (“Han”), Jayde Trinh (“Jayde”), and Greyson Law Center, PC (“Greyson”) were assigned, entered an order consolidating the three appeals into one action, under case number 8:24-cv-02074-FMO (“AppDk.”). AppDk. No. 18. Appellants and the Trustee (as Appellee) have filed their respective briefs. On April 28, 2025, the District Court entered an order vacating the hearing and oral argument in the consolidated appeals and placed the consolidated appeals under submission. AppDk. No. 51. No ruling on the appeals has been made as of the date of filing of this Status Report.

**ii. Status of Remaining Administrative Claims**

Herret Credit Consultants, LLC, Dk. No. 708: On January 21, 2025, the Court entered an order denying without prejudice the administrative claim motion filed by Herret Credit Consultants, LLC (“Herret”), and the Court extended the deadline through and including April 30, 2025, for Herret to file an amended administrative claim motion. Dk. No. 2050. Herret did not file an amended administrative claim motion by the extended deadline; the Herret administrative claim is resolved.

United Partnerships, LLC Dk. No. 671: United Partnerships, LLC (“UP”) has filed a motion seeking allowance of an administrative claim in the amount of \$178,665.70 for allegedly providing leads and customer retention services to Debtor. The Trustee believes that he must oppose the motion because UP has not provided sufficient evidence that its claim arose from a post-petition transaction with the Debtor that directly and substantially benefitted the estate. Currently, the deadline for the Trustee to file a response to UP’s motion is May 8, 2025. Dk. No. 2141. The Trustee and UP continue to discuss resolution of the claim and they have agreed to continue the hearing on UP’s administrative claim motion and to modify the briefing schedule to permit the Trustee and UP time to continue those discussions. To that end, on May 7, 2025, the Trustee has filed a stipulation and awaits Court order continuing the hearing and modifying the briefing schedule. The UP administrative claim remains the only unresolved administrative claim.

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1 Alteryx, Inc., Dk. No. 750: The Trustee obtained the consent of the Post-Confirmation  
2 Committee<sup>1</sup> to fully resolve all issues, disputes, liabilities, and claims and defenses existing between  
3 Alteryx, Inc. (“Alteryx”) and the Trustee. The Trustee and Alteryx agreed that Alteryx would pay  
4 \$295,000.00 to settle with the Trustee. On March 14, 2025, Alteryx made the settlement payment in  
5 the full amount of \$295,000.00. The Alteryx administrative claim is resolved.

6 **b. Status of Trustee’s Filed Objections to Claims**

7 The Trustee has been investigating and verifying proofs of claims that have been filed with  
8 the bankruptcy court and with the Court-approved claims agent, Omni Agent Solutions (“Omni”)  
9 and filing appropriate objections. In addition to filing the Omnibus Objection to Alleged Admin  
10 Claims (*supra*), the Trustee filed the following objections, some of which have been resolved.

11 Insiders Objection, Dk. No. 1707

12 On September 19, 2024, the Trustee filed Omnibus Objection to Proofs of Claim filed by  
13 (I) Phuong “Jayde” Trinh; (II) Sheri Chen; (III) Justin Nguyen; (IV) Han Trinh; (V) Israel Orozco;  
14 (VI) Scott Eadie; (VII) Kevin Kurka; and (VIII) Azevedo Solutions Group, Inc as Dk. No. 1707  
15 (“Insiders Objection”). Since the last status report, only the following claims from the Insiders  
16 Objection remain unresolved:

- 17 • Phuong “Jayde” Trinh: \$14,423.08 (Proof of Claim No. 75)—in light of ongoing  
18 appeals, the Court continued the hearing to June 18, 2025, at 1:30 p.m., Dk. No. 2060.
- 19 • Han Trinh: \$24,310.23 (Proof of Claim No. 79) —in light of ongoing appeals, the  
20 Court continued the hearing to June 18, 2025, at 1:30 p.m., Dk. No. 2060.
- 21 • Scott Eadie: \$31,249.99 (Proof of Claim No. 193)—the Court continued the hearing  
22 to July 2, 2025, at 11:00 a.m., Dk. No. 2386.

23 Non-Evidenced Priority Objection, Dk. No. 1785

24 On October 3, 2024, the Trustee filed Omnibus Objection to Alleged Priority Claims that  
25 Lack Evidence Supporting Priority Status (“Non-Evidenced Priority Objection”) as Dk. No. 1785.

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27  
28 <sup>1</sup> Post-Confirmation Committee is defined in Sections 2.10(a) of the Liquidation Trust Agreement as the oversight board formed on the Effective Date after the Official Committee of Unsecured Creditors is dissolved.

On January 6, 2025, the Court entered an order continuing the hearing only on claims of John Dunn and William Gagne to February 5, 2025 at 11:00 a.m., and sustaining Trustee's objection to the remaining claims in Dk. No. 1785. On February 13, 2025, after noting that no party filed a response to the Non-Evidence Priority Objection, the Court entered an order disallowing the claims of John Dunn and William Gagne as priority claims and reclassified both as general unsecured claims. Dk. No. 2094.

## **2. Status of Avoidance Action Litigation Targets**

Since the February 5, 2025 status report, the Trustee has made substantial progress in investigating and verifying fraudulent transfers made pre-and post-petition. The following is a summary of Trustee's ongoing litigation of the filed avoidance complaints and projected complaints that are likely to be filed.

The statute of limitations for Trustee to bring actions under 11 U.S.C. §§108, 546(a) and 549(d) was initially set to expire on March 20, 2025. On February 19, 2025, the Trustee filed a Motion for an Order Extending the Estate's Time To File Actions Governed by 11 U.S.C. §§108, 546(a) and 549(d) ("Motion To Extend"). Dk. No. 2108. On April 9, 2025, the Court entered an order granting the Motion to Extend in its entirety and extending time for Trustee to file related actions up and through September 19, 2025. Dk. No. 2382.

Prior to March 20, 2025 and prior to Court's order on Motion to Extend, the Trustee entered into approximately 97 tolling agreements with litigation targets who were party to possible fraudulent transfers made pre- and post-petition, extending the time to file actions against nearly every litigation target who signed a tolling agreement by one calendar year. Court's order on Motion to Extend did not override any existing tolling agreements to which the Trustee is a party.

At the time of this Status Report, the Trustee has filed approximately 218 adversary proceedings. These active adversary proceedings are seeking to avoid and recover nearly \$300 million in avoidable transfers.

During the litigation of avoidance actions and related investigation and verification of potential avoidable transfers, the Trustee has been entering into settlement agreements with litigation

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1 targets as appropriate in order to conserve estate resources. At the time of this Status Report, the  
2 total amount of the avoidance action settlements is approximately \$6,065,764.

3 On April 1, 2025, in order to effectively litigate the hundreds of adversary proceedings in the  
4 instant bankruptcy case, the Trustee filed a Motion for Order Establishing Streamlines Procedures  
5 Governing Adversary Proceedings brought by Trustee's General Counsel ("Motion for Streamlined  
6 Procedures"). Dk. No. 2356. On April 28, 2025, the Court entered an order granting the Motion for  
7 Streamlined Procedures. Dk. No. 2406. The order on Motion for Streamlined Procedures governs the  
8 respective parties' obligations regarding each adversary action, setting of Rule 12 motions, the  
9 governance of standalone docket for each adversary action, and numerous other procedures relating  
10 to the adversary proceedings filed by the Trustee's general counsel.

### 11 **3. Status of Trustee's Funds in Administering the Estate**

12 Per the Post-Confirmation Report filed on April 21, 2025, as Dk. No. 2398, as of March 31,  
13 2025, the Estate has made a total of \$12,401,940 in cash disbursements since the September 24,  
14 2024 effective date of the Plan.

15 All remaining cash and litigation claims now constitute property of the Trust. The Trust  
16 anticipates substantial additional recoveries from Morning Law Group, P.C. ("Morning Law  
17 Group") pursuant to the Court-approved sale and from other litigation recoveries. To that extent, on  
18 April 2, 2025, the Trustee filed a Motion for Entry of Order Enforcing Agreement of Purchase and  
19 Sale and Joint Escrow Instruction, and Compelling Morning Law Group, P.C. to Make Payment  
20 thereunder and Related Relief ("Motion to Compel Payment by Morning Law Group"). Dk.  
21 No. 2363. Motion to Compel Payment by Morning Law Group sought, among other relief, an  
22 immediate payment of \$953,247.57 which was the undisputed payment owed in the fourth quarter of  
23 2024. On April 21, 2025, the Court entered an order approving a stipulation between the Trustee and  
24 Morning Law Group, outlining a payment schedule for the undisputed payment of \$953,247.57 and  
25 ordering that the Trustee and Morning Law Group to commence mediation no later than July 1, 2025  
26 with respect to the "Earn-Out" purchase part provided for in the Morning Law Group purchase  
27 agreement. Dk. No. 2397.

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**4. Status of Secured Creditors and Related Litigation**

Current Status of Secured Creditors

Bridge Funding CAP, LLC d/b/a/ Fundura Capital (“Bridge Funding”), MNS Funding, LLC, Azzure Capital LLC (“Azzure”), Diverse Capital, LLC, PECC Corp, Proof Positive LLC, MC DVI Fund 1 LLC, MC DVI Fund 2 LLC, Debt Validation Fund II LLC, Venture Partners LLC: These Secured Creditors have all been named as defendants in the adversary 8:24-ap-01011-SC that the Trustee filed on January 26, 2024 (“Secured Creditor Adversary”) seeking, *inter alia*, declaratory judgment as to validity of their secured interests.

The following is the status of Trustee’s resolution with various defendants in the Secured Creditor Adversary since the February 5, 2025, status report:

- The Trustee filed Summary Judgment Motions against Bridge Funding; Azzure Capital; Diverse Capital, and PECC.
  - On August 27, 2024, the Court granted summary judgment in favor of the Trustee and against Bridge Funding as Secured Creditor Adversary Dk. No. 150. On September 20, 2024, Bridge Funding filed an appeal of the denial of summary judgment, currently known as case number 8:24-cv-02043-FMO. On November 21, 2024, the U.S. District Court to which the appeal has been assigned entered its Case Management Order. App.Dk. No. 13. On April 3, 2025, the Trustee filed a Motion to Dismiss Appeal. App.Dk. No. 27. On April 28, 2025, after Bridge Funding’s opposition and Trustee’s reply to opposition to the Motion to Dismiss Appeal were filed, the District Court took the May 1, 2025 hearing off calendar and placed the Motion to Dismiss Appeal under Submission. App.Dk. No. 31. No ruling on the Motion to Dismiss Appeal has been made as of the date of filing of this Status Report.
  - On January 22, 2025, Azzure filed its notice of appeal and statement of election re: order granting partial summary adjudication, currently known as case number 8:25-cv-00115-GW. On April 3, 2025, Azzure and the Trustee (and the Post-Confirmation Oversight Committee) filed a stipulation agreeing

1 that the order granting partial summary adjudication is interlocutory and,  
2 therefore, not immediately appealable. App.Dk. No. 32. On April 4, 2025, the  
3 District Court approved the parties' stipulation and dismissed Azzure's appeal  
4 without prejudice. App.Dk. No. 33.

5 **a. Trustee's Original Adversary Proceeding:**

6 *Marshack v. Diab et al* (Dk. No. 93; 8:23-ap-01046-SC). The Trustee's complaint against  
7 Tony Diab, Daniel S. March, Rosa Bianca Loli, and approximately 45 other defendants is the largest  
8 adversary currently pending in this bankruptcy case. On March 26, 2025, the Trustee filed a  
9 comprehensive status report on the status of the adversary. Adv.Dk. No. 746.

10 On March 3, 2025, the Trustee filed an extensive stipulation with Tony Diab ("Diab") and  
11 BAT Inc. d/b/a Coast Processing ("Coast Processing") which contained numerous admissions made  
12 by Diab ("Diab Stipulation"). Adv.Dk. No. 719. In the Diab Stipulation, Diab and Coast Processing  
13 agreed that a non-dischargeable judgment be entered against them, jointly and severally, in favor of  
14 the Trustee/Plaintiff in the minimum amount of \$100,000,000. The Diab Stipulation also provided  
15 that Diab would turnover to the Trustee (to the extent that such turnover has not already taken place)  
16 information, all client files, all usernames and passwords, and numerous other items and payments  
17 outlined in detail in the Diab Stipulation. The following parties filed oppositions to the Court's  
18 approval of the Diab Stipulation: Greyson Law Center, PC, Han Trinh and Jayde Trinh (Adv.Dk.  
19 No. 729), and Consumer Legal Group, PC ad LGS Holdco, LLC (Adv.Dk. 764).

20 On May 6, 2025, the Trustee and the parties opposing approval of the Diab Stipulation filed a  
21 stipulation agreeing to continue the date of the hearing on approval of the Diab Stipulation to  
22 May 21, 2025. Adv.Dk. No. 767. On May 6, 2025, the Court entered an order approving the  
23 stipulation requesting a continuance and set the hearing on the Trustee's motion for order approving  
24 the Diab Stipulation to May 21, 2025 at 11:00 a.m. Adv.Dk. No. 768.

25 **5. Schedule of Payments**

26 In addition to payment of administrative claims outlined above which became due on the  
27 Effective Date, the Trustee has made payments outlined in the Post-confirmation Report, Dk.  
28 No. 2398.

1 **6. Schedule of any and all Post-Confirmation Tax Liabilities**

2 At this point, the 2022 tax returns for the Estate have been prepared and filed, and all  
3 payments have been made. The 2023 tax returns for the Estate are in progress.

4 **7. Projections to the Trustee's Ability to Comply with the Terms of the Plan**

5 The Trustee has not encountered any difficulties in complying with the terms of the Plan and  
6 has been pursuing the exact course of action outlined in the February 5, 2025 status report, and the  
7 Court's confirmation order. At this point, the Trustee does not project any upcoming difficulties in  
8 complying with the terms of the Plan.

9 **8. Estimate of the Date for Plan Consummation and Application for Final**  
10 **Decree**

11 The Trustee believes that the Plan is substantially consummated now that the remaining  
12 estate funds have been transferred to the Trust. The Trustee is evaluating the appropriate timing for  
13 the filing of an application for final decree.

14 **9. Conclusion**

15 In summary, the Trustee's active pursuit of litigation has already resulted in recovering  
16 several millions of dollars in settlements after the Effective Date. These recoveries are anticipated to  
17 substantially increase as the Trustee litigates the avoidance complaints filed since the February 5,  
18 2025 status report and investigates the litigation targets with whom the Trustee has signed tolling  
19 agreements. The Trustee projects that distributions under the Plan and Trust will align with or  
20 exceed projections.

21  
22 DATED: May 7, 2025

MARSHACK HAYS WOOD LLP

23 By: /s/ D. Edward Hays  
24 D. EDWARD HAYS  
25 AARON E. DE LEEST  
26 ALINA MAMLYUK  
27 Attorneys for Liquidating  
28 Trustee, Richard A. Marshack



## PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:  
870 Roosevelt, Irvine, CA 92620.

A true and correct copy of the foregoing document entitled: **TRUSTEE'S POST-CONFIRMATION STATUS REPORT** will be served or was served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner stated below:

**1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):** Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On **May 7, 2025**, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

☒ Service information continued on attached page

**2. SERVED BY UNITED STATES MAIL:** On **May 7, 2025**, I delivered the document(s) described above via email to Omni Agent Solutions, Trustee's claims and noticing agent, for service on the interested persons and/or entities at the last known addresses by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid and addressed per the adversary mail matrix. Upon completion of the mailing by Omni Agent Solutions, Trustee will file a Certificate of Service listing the parties served by Omni Agent Solutions at the address at which they were addressed.

**DEBTOR – MAIL REDIRECTED TO TRUSTEE**

THE LITIGATION PRACTICE GROUP P.C.

17542 17TH ST

SUITE 100

TUSTIN, CA 92780-1984

☒ Service information continued on attached page

**3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL:** Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on **May 7, 2025**, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

**VIA PERSONAL DELIVERY**

PRESIDING JUDGE'S COPY

Honorable Scott C. Clarkson

Bin beside 5th Floor Elevators

U.S. Bankruptcy Court, Ronald Reagan Federal Building

411 West Fourth Street

Santa Ana, CA 92701-4593

**VIA EMAIL**

**MONITOR**

Nancy Rapoport

nancy.rapoport@unlv.edu

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

May 7, 2025

Date

Chanel Mendoza

Printed Name

/s/ Chanel Mendoza

Signature

**1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): CONTINUED:**

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GENERAL AGENT, OR TO ANY  
OTHER AGENT AUTHORIZED BY  
APPOINTMENT OR LAW TO  
RECEIVE SERVICE OF PROCESS  
1545 ROUTE 202, SUITE 101  
POMONA, NY 10970

**RTD 2/5/24 UTF****SECURED CREDITOR**

GREEN FUND NY  
~~ATTN: OFFICER, A MANAGING OR  
GENERAL AGENT, OR TO ANY  
OTHER AGENT AUTHORIZED BY  
APPOINTMENT OR LAW TO  
RECEIVE SERVICE OF PROCESS  
276 5TH AVENUE, ROOM 704  
BROOKLYN, NY 10001~~

**RTD 11/8/23 UTF****SECURED CREDITOR**

MCA CAPITAL HOLDINGS LLC  
~~ATTN: OFFICER, A MANAGING OR  
GENERAL AGENT, OR TO ANY OTHER  
AGENT AUTHORIZED BY  
APPOINTMENT OR LAW TO RECEIVE  
SERVICE OF PROCESS  
254 32ND STREET, BLDG 2 C303  
BROOKLYN, NY 11232~~

**SECURED CREDITOR / POC  
ADDRESS**

MNS FUNDING LLC  
C/O PAUL R. SHANKMAN  
FORTIS LLP  
650 TOWN CENTER DRIVE, SUITE  
1530  
COSTA MESA, CA 92626

**NEW ADDR PER DK 1667****SECURED CREDITOR / POC  
ADDRESS**

MNS FUNDING LLC  
ATTN: OFFICER, A MANAGING OR  
GENERAL AGENT, OR TO ANY  
OTHER AGENT AUTHORIZED BY  
APPOINTMENT OR LAW TO  
RECEIVE SERVICE OF PROCESS  
2013 CEDAR BRIDGE AVENUE,  
UNIT 1C  
LAKEWOOD, NJ 08701

**SECURED CREDITOR / POC ADDRESS**

PECC CORP.  
C/O RUSTY O'KANE  
3131 MCKINNEY AVENUE, SUITE 500  
DALLAS, TX 75204

**SECURED CREDITOR / POC  
ADDRESS**

RIVER TREE LLC  
C/O MAYS JOHNSON LAW FIRM  
21 BATTERY PARK AVE, SUITE 201  
ASHEVILLE, NC 28801

**SECURED CREDITOR / POC  
ADDRESS**

VENTURE PARTNERS LLC  
ATTN: OFFICER, A MANAGING OR  
GENERAL AGENT, OR TO ANY  
OTHER AGENT AUTHORIZED BY  
APPOINTMENT OR LAW TO  
RECEIVE SERVICE OF PROCESS  
1309 COFFEEN AVENUE, STE  
1200  
SHERIDAN, WY 82801